

REMARKS/ARGUMENTS

In response to the above-identified Office Action dated January 13, 2005, claims 1, 6, 7, and 17 have been amended. Claims 1-20 remain pending in the present application.

For the reasons set forth more fully below, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present application are respectfully requested.

Claim Rejections

The Examiner rejected independent claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention by stating "Claim 1 is a method claim with no steps." Applicant respectfully disagrees, since claim 1 clearly recites the step of utilizing a hierarchical definition language with run-time control capability to represent and control a box line manufacturing process of computer systems in a unified manner in the method for efficient order processing in a manufacturing environment.

With further regard to claim 1, the Examiner has rejected claim 1, along with its dependent claims 2-9 and also claims 17-20, under 35 U.S.C. 101 "because the language of claims 1-9 and 17-20 raises a question as to whether the claimed method is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101." Applicant respectfully disagrees. However, to maintain consistency among the claims, Applicant has amended claim 1 to recite that the step of utilizing occurs "in at least one server and a local control system coupled to a plurality of systems under test (SUTs)," in correspondence with the recitation in the independent system claim, claim 8. Similar amendments have been made to

independent claim 17 to more particularly indicate the element within which each recited step of providing occurs. Claims 6 and 8 have been amended to maintain proper antecedent basis. Applicant respectfully submits that no new matter has been added by the amendments, nor has the scope of the claims been changed.

Further, Applicant respectfully submits that independent claim 1 is a method claim with a step that is tied to a technological art, environment, or machine that would result in a practical application producing a concrete, useful, and tangible result. Similarly, independent claim 17 is computer readable medium claim with program instructions that are tied to a technological art, environment, or machine that would result in a practical application producing a concrete, useful, and tangible result. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 1 under 35 U.S.C. 112, second paragraph, and of claims 1-9 and 17-20 under 35 U.S.C. 101.

For the cited art rejection, the Examiner rejected claims 1-20 under 35 U.S.C. 102(b) as being anticipated by Stubbs et al (“Stubbs”). Applicant respectfully disagrees with the rejection.

The present invention addresses efficient order processing in a manufacturing environment. As recited in independent claims 1 and 10, the present invention includes utilizing a hierarchical definition language with run-time control capability to represent and control a box line manufacturing process of computer systems in a unified manner. Independent claim 17 similarly recites the provision of a state file for run-time information of a box line manufacturing process of computer systems.

Through the present invention, a persistent structure is provided that can be stopped and restarted at arbitrary points for representation and control of a unified manufacturing process with an abstraction from the complexities of the underlying implementation. Also provided is a tool, the sequencer, that understands this language, “pushes” tasks to their specified destination,

monitors tasks to ensure successful completion in the allotted time, and updates the control file as necessary with real-time control information. The sequencer architecture can understand an order that contains multiple shippable units to meet the particular needs of the manufacturing process. Further, a tool, the listener, runs on all applicable targets under all required operating systems. The listener, based on communication with the sequencer, starts tasks, monitors tasks, and sends results back to the sequencer utilizing a message protocol for communication.

Applicant respectfully submits that the cited art of Stubbs fails to anticipate or even suggest the present invention.

The cited art of Stubbs addresses the modelling of computer-controlled test and measurement systems as data flow diagrams of topologically interconnected resources. Stubbs illustrates a single device under test (DUT) that is connected to one computer, multiple signal generating instruments, and a measurement instrument (see FIG. 1). While the Examiner asserts in the rejection and in the response to Applicant's previous arguments that Stubbs discloses a plurality of systems under test (SUTs) by the elements of R16, R18, and R20 in FIG. 16, Applicant respectfully disagrees.

The elements, R16, R18, and R20, are not taught or suggested as SUTs. Stubbs teaches in col. 14, lines 40-43, that FIG. 16 shows a network of tasks of the data flow process illustrated by FIG. 15. FIG. 15 is specifically described as an illustrative flow diagram depicting a data flow process including a signal generator, a power supply, an oscilloscope, and "a device under test (DUT)" (col. 14, lines 34-35, emphasis added). Further, Stubbs teaches that "the rule numbers, corresponding to the number used in Appendix A, are shown adjacent the respective dependency line in FIG. 16 which is dictated by that rule." Thus, "R16" adjacent a line in FIG. 16 indicates the rule, Rule 16, by which that direction of the flow diagram follows. Accordingly, while the

Examiner has maintained the assertion that R16, R18, and R20 are SUTs, Applicant respectfully submits that in maintaining this assertion, the Examiner has wholly disregarded the actual teachings of Stubbs regarding these labels and has provided no basis for the interpretation.

In addition, the Examiner asserts that Figures 16 and 19 teach the recited at least one server networked to the plurality of SUTs. In fact, these figures show an interrelation of tasks and wholly fail to teach or suggest the recited at least one server.

Thus, the system arrangement in Stubbs is not taught or suggested as a box line manufacturing process of computer systems, as recited in independent claims 1 and 17, and it further fails to teach or suggest a plurality of systems under test (SUTs), at least one server networked to the plurality of SUTs, and a local control system coupled to the plurality of SUTs and networked to the at least one server, as recited in independent claim 10. Without teaching or suggesting a plurality of SUTs or a box line manufacturing process of computer systems, there can be nothing to teach or suggest a control system utilizing a hierarchical definition language with run-time control capability to represent and control such an arrangement in a unified manner, as recited by the Applicant in the independent claims. Thus, Applicant respectfully submits that Stubbs fails to teach, show, or suggest efficient order processing in a manufacturing environment, as recited in the present invention.

In view of the foregoing, Applicant respectfully submits that independent claims 1, 10, and 17 are not anticipated or suggested by the cited art of Stubbs. Applicant further respectfully submits that dependent claims 2-9, 11-16, and 18-20 include the features of one of the independent claims while adding further features and thus, these claims are respectfully submitted as allowable for at least those reasons stated hereinabove. With more particular regard to dependent claims 9, 16, and 19, Applicant recites the provision of a state file in XML. While

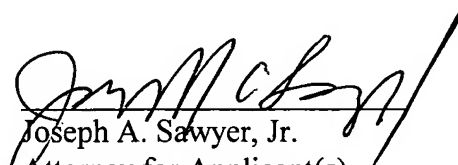
the Examiner has cited lines from columns 2 and 7 of Stubbs in rejecting these claims, the generic reference to the use of source code in any convenient language by Stubbs refers to the sequence of code to control a data flow process. Stubbs is silent regarding the provision of a state file in XML, as recited in the present invention. In a similar manner, Stubbs is silent regarding the recited provision of the state file in an MTSN directory, as recited in dependent claims 7, 15, and 20. Accordingly, Applicant respectfully requests withdrawal of the rejections of the recited claims under 35 U.S.C. 102(b).

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

April 11, 2005

Date


Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801
(650) 493-4540